



## Legislation Text

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File #: 21-2223, Version: 1

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**TO:** Mayor and Members of City Council

**THRU:** Telly C. Whitfield, Ph.D. - Assistant City Manager  
Dr. Gerald Newton, AICP - Development Services Director  
Taurus Freeman, MPA - Planning and Zoning Division Manager

**FROM:** David Nash, AICP - Senior Planner

**DATE:** September 27, 2021

**RE:**  
**AX21-004.** Annexation request for the proposed Coventry Woods Subdivision, located on the south side of McCloskey Road, (REID #0531871221000), consisting of 40.69 acres and being the property of William E. Clark; related to P21-37: Initial Zoning

**COUNCIL DISTRICT(S):**  
1 - Mayor Pro-Tem Kathy Jensen

**Relationship To Strategic Plan:**  
Strategic Operating Plan FY 2021  
Goals 2026

- Goal 2: Responsible City Government Supporting a Diverse and Viable Economy
  - Objective 2.4: Sustain a favorable development climate to encourage business growth
- Goal 3: City Investment in Today and Tomorrow
  - Objective 3.2 - Manage the City's future growth and strategic land use
- Goal 4: Desirable Place to Live, Work and Recreate
  - Objective 4.5 - Ensure a place for people to live in great neighborhoods

**Executive Summary:**

The applicant, William Clark, has submitted a request to annex 40.69 acres on the south side of McCloskey Road. The land is currently vacant, but a new residential subdivision to be known as Coventry Woods is proposed for development. Staff recommends annexation of this property.

Staff also recommends approval of the initial zoning to Single-Family Residential 10 (SF-10) in the City. At its meeting on June 8, 2021, the Zoning Commission recommended approval.

The annexation and initial zoning items were on the agenda for the August 9, 2021 meeting. The City Council held the annexation public hearing. After the public hearing was closed, discussion ensued. Mayor Pro Tem Jensen moved to table this item to the September 27, 2021 meeting, allowing

additional time to further notify residents of the annexation request in the surrounding neighborhoods.

Per an email received by Mr. Jimmy Kizer of Moorman, Kizer & Reitzel, Inc. dated August 18, 2021, Mr. Kizer and the Homeowners' Association representative for Sections, 4, 5, and 6 of Fairfield Farms discussed the proposed development. The representative indicated that he did not have any issues with the proposal.

### **Background:**

The property requested for annexation is on the northern side of the City, along the southern side of McCloskey Road. McCloskey Road runs westward from Ramsey Street, just north of the South River EMC facility. The property is west of the Cottages at Ramsey and north of the Fairfield Farm subdivision. It is expected that Carswell Drive will be extended northward from Fairfield Farm into the area.

The property requested for annexation is contiguous to the City. (See Vicinity Map and Legal Description Map, attached.) It consists of the southern part of one large tax parcel (REID #0531871221000) that straddles McCloskey Road. The property is currently owned by William E. Clark.

Current plans call for the land south of McCloskey Road to be developed as a new residential subdivision to be named, Coventry Woods. According to current plans, a total of 112 single-family residential units will be built in this subdivision. However, the current city boundary cuts through the southern part of this proposed subdivision. For example, it appears that parts of 12 lots (Lots 84, 88, 95, 96, 104, 105, and 20-25) are cut by the city boundary. Also, it appears that all of 10 lots are on land that is already inside the City. These include Lots 85-87 and Lots 97-103. For the purposes of analyzing this area, staff suggests that the 10 lots already inside the City should be deducted, but the 12 lots cut by the City boundary should not be deducted. This deduction leaves 102 residential lots in the area requested for annexation.

This property is in the City's Municipal Influence Area (MIA). Staff assumes the developer will use PWC sewer and water. Using PWC sewer requires that the property be annexed, per City Council Policy 150.2.

See the attached Basic Information Sheet for more information about the property and the future project.

On June 8, 2021, the Zoning Commission held an initial zoning public hearing for this property. The Zoning Commission recommended approval of the initial zoning to Single-Family 10 (SF-10).

### **Issues/Analysis:**

Sufficiency: The City's Real Estate Staff has found the annexation petition to be sufficient. (See Sufficiency Memo, attached.)

Compliance with Annexation Standard: The one standard that must be met is that the area must be contiguous. This property meets that standard.

Effective Date: The 2011 changes to the state annexation law regarding effective dates require that a contiguous area be annexed either immediately, or on the June 30 after the date of passage of the

ordinance, or on the June 30 of the following year after the date of passage of the ordinance. The recommended effective date is September 27, 2021.

Compliance with City Development Standards: The owners/developers have already submitted plans through the City's TRC process, in anticipation of the property being annexed and initially zoned as requested. The TRC review process ensures that the future development will comply with City standards.

Financial Impact of Annexation on the Property Owners: If the property is annexed, the property tax costs to the owners will increase, due to application of the City tax rate. However, this increase will be reduced by the elimination of certain taxes (such as the County fire district tax and the County recreation tax.)

Currently, the property is in the special use tax (ie, farm) program. Annexation of the property would not change the special use tax status of the property. However, future development of the property would change the status. This would mean that the property would no longer be eligible for the farm program benefits.

As the property is developed, the owners will be subject to City property taxes, but the owners will also receive City services. The current owner and future lot owners will also be eligible for PWC inside-City utility rates, which are less than outside-City rates.

Services: City operating departments and PWC divisions have reviewed the proposed annexation and they should be able to serve the property. (Appendix A provides a summary of services, costs, and revenues.)

### **Budget Impact:**

Analyzing the budgetary impact of an annexation on the City involves comparing projected costs with projected revenues. Appendix A, attached, includes a table and chart showing that the budgetary impact of annexing the area should be positive for the City, especially after FY 26-27. The figures in the table and chart have been updated to reflect an assumed effective date of September 27, 2021.

### **Options:**

1. Adopt the Annexation Ordinance with an effective date of September 27, 2021, and include approval of the final action consistent with the prior action on the zoning.
2. Adopt the Annexation Ordinance with an effective date of June 30, 2022, and include approval of the final action consistent with the prior action on the zoning.
3. Adopt the Annexation Ordinance with an effective date of June 30, 2023, and include approval of the final action consistent with the prior action on the zoning.
4. Do not adopt the Annexation Ordinance. This option means the property would remain outside the City, and the initial zoning would not occur.
5. Table action on the requested annexation.

### **Recommended Action:**

Professional Planning Staff recommends Option 1: that the City Council moves to adopt the

proposed ordinance annexing the area effective September 27, 2021, and establish the initial zoning consistent with the prior action on the zoning case.

**Attachments:**

1. Appendix A-Summary of Services, Costs, and Revenues (Updated 091121)
2. Vicinity Map
3. Legal Description Map
4. Information About Coventry Woods
5. Basic Information Sheet (Corrected on 091121)
6. Sufficiency Memo
7. Proposed Annexation Ordinance (Updated 092121, with 2nd public hearing date)
8. Photo 1
9. Photo 2
10. Photo 3